

**Tooele City Council  
Business Meeting Minutes**

Date: Wednesday, August 3, 2011  
Time: 7:30 p.m.  
Place: Tooele City Hall, Council Chambers  
90 North Main Street, Tooele Utah

**City Council Members Present:**

Scott Wardle, Chair  
Mike Johnson  
Steve Pruden  
Dave McCall  
Shawn Milne

**City Employees Present:**

Mayor Patrick Dunlavy  
Glen Caldwell, Finance Director  
Michelle Pitt, City Recorder  
Lisa Carpenter, Deputy Recorder  
Cary Campbell, Public Works Director  
Chief Ron Kirby, Chief of Police  
Paul Hansen, City Engineer  
Rachelle Custer, City Planner  
Detective Paul Wimmer  
Tim Fulmer, City Ordinance Officer  
Randy Sant, RDA Consultant

**Others Present:**

Tim Gillie, Tooele Transcript  
Debbie Winn, Chamber of Commerce

Chairman Wardle called the meeting to order at 7:30 p.m.

Minutes prepared by Elisa Jenkins

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Lieutenant Paul Wimmer.

**2. Roll Call**

Councilman Pruden, Present  
Councilman McCall, Present  
Councilman Milne, Present  
Councilman Wardle, Present

Councilman Johnson, Present

### **3. Open Forum for Public Comment**

Chairman Wardle invited anyone from the public who would like to come forward and address the Council to do so.

Lori Cuskelly, 331 No 100 West addressed the Council. Ms. Cuskelly is trying to sell her home and contacted Tim Fullmer, the City Enforcement Officer, about the homes around her that are abandoned, have lots of weeds and look terrible. She discussed her concerns with Mr. Fulmer in March but she has not seen any improvements to the homes yet.

Mayor Dunlavy indicated that the Community Development Office is aware of this problem.

Ms. Cuskelly showed some pictures of the homes that are in violation in her neighborhood to the Council. She also indicated that there is a home in her neighborhood that has horses and the property is not zoned to have horses. She indicated that Mr. Fulmer said he was working with some of these homeowners to clean things up but she hasn't seen anything happen yet.

Mayor Dunlavy stated that if the property had horses before the property was re-zoned they were allowed to keep their horses.

Councilman Johnson suggested that Ms. Cuskelly contact Mayor Dunlavy

Cody Rydolch, 332 N 100 West addressed the Council. He lives next door to the abandoned home that Ms. Cuskelly showed. He said that people dump garbage there because nobody lives there and it is in bad shape. He would like to see it cleaned up as well.

Chairman Wardle closed the open forum at 7:43 p.m.

### **4. Ordinance 2011-14 An Ordinance of the Tooele City council Modifying the time of its Public Meetings**

Presented by Chairman Scott Wardle

Chairman Wardle indicated that because of concerns raised over the last year they would like to move the City Council meetings back to 7:00 p.m. starting September 7, 2011 and for the remainder of the year.

**Councilman Pruden moved to approve Ordinance 2011-14.** Councilman Milne seconded the motion. The vote was as follows: Councilman McCall, "Aye", Councilman Johnson, "Aye", Councilman Milne, "Aye", Councilman Pruden, "Aye", and Chairman Wardle "Aye".

### **5. Resolution 2011-39 A Resolution of the Tooele City Council Authorizing the Application for and Acceptance of Justice Assistance Grant Funding for Police Department Equipment**

Presented by Ron Kirby, Police Chief

Chief Kirby stated that this is a Justice Assistance Grant there are no matching funds from the City. They are proposing to use the \$14,400 to purchase patrol rifles which the officers need to protect themselves. They will use \$9,000 for the rifles and the remainder on ammunition and other equipment. Chief Kirby recognized Lieutenant Paul Wimmer for his work on this grant.

**Councilman Johnson moved to approve Resolution 2011-39.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Milne, “Aye”, Councilman Pruden, “Aye”, and Chairman Wardle, “Aye”.

**6. MOTION on Dollar Store Subdivision a two lot 1.2 Acre Subdivision Located at 725 North Main Street**

Presented by Rachelle Custer

Ms. Custer explained that the owner of Family Dollar has a piece of property to the south of the store that is vacant and they would like to subdivide the property for future development. There is not a tenant today. They would like to subdivide it so it can be marketed. There is shared access onto SR 36; this lot will not receive its own access. Staff recommends approval and Planning commission made a favorable recommendation on June 22, 2011.

Councilman McCall asked if they could get permission from UDOT for the access to SR36?

Ms. Custer stated that it is a shared easement. They are allowed the access they have today UDOT will not grant any additional access.

Councilman Pruden recalled that when Family Dollar was being built Techna Glass was going to build on this lot. Part of the condition when they were building was they were supposed to maintain the lot. They have not maintained this empty lot at all. He would like to see a condition as part of the approval to have them clean this lot up to the satisfaction of the building department.

Councilman Johnson asked as part of the development if they will have to provide water rights and all other requirements needed for building.

Ms. Custer said “yes”, that is the reason Techna Glass chose another location is because of the costs to bring the infrastructure to this lot.

**Councilman Milne moved to approve the Dollar Store Subdivision a two lot 1.2 Acre Subdivision located at 725 North Main Street with the condition that the lot be cleaned up to the satisfaction of the building department.** Councilman Johnson seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Milne, “Aye”, Councilman Pruden, “Aye”, and Chairman Wardle “Aye”.

## **7. Minutes: July 6, 2011; Work Session and Business Meeting**

**Councilman Milne moved to approve the minutes as presented.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Milne, “Aye”, Councilman Pruden, “Aye”, and Chairman Wardle, “Aye”. Councilman Johnson abstained because he was not present at the meeting.

## **8. Invoices**

Ms. Pitt presented the following invoices for payment:

- Jerry Carlson Properties LLC for yearly rent on building at 919 North Main Street in the amount of \$10,800.00.
- Nickerson Company, Inc. for a rebuilt pump for well #12 in the amount of \$29,343.00.
- Superior Excavating for storm drain project (Tamarack Drive) in the amount of \$15,637.50.
- Nickerson Company, Inc. for booster pump repairs in the amount of \$8,914.00.
- Rotational Molding for an open purchase order for garbage cans in the amount of \$60,000.00.
- Holland & Hart for June 2011 legal fees in the amount of \$22,825.00.
- Moreton and Company for 2011-2012 insurance in the amount of \$168,866.00.
- Tech-Serv, Inc. for 2011-2012 Service Contract in the amount of \$32,500.00

**Councilman Pruden moved to approve the invoice as presented by Ms. Pitt.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Milne, “Aye”, Councilman Pruden, “Aye”, and Chairman Wardle “Aye”.

## **9. Adjourn**

**Councilman Milne moved to adjourn the meeting.** Councilman McCall seconded the motion. The vote was as follows: Councilman McCall, “Aye”, Councilman Johnson, “Aye”, Councilman Milne, “Aye”, Councilman Pruden, “Aye”, and Chairman Wardle “Aye”. The meeting adjourned at 7:53 p.m.

Approved this 17<sup>th</sup> day of August 2011

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Chairman Scott Wardle